

FILED  
U.S. DISTRICT COURT  
SAVANNAH, GA.  
2014 JAN 27 PM 2:12

IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION

CLERK  
SO. DIST. OF GA.

Axis Construction Company, )  
LLC, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
International Fidelity )  
Insurance Company, )  
 )  
Defendant, )  
 )  
Stephens Construction & )  
Concrete, Inc., )  
 )  
 )  
Intervenor Defendant. )  
 )

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CASE NO. CV413-003

O R D E R

Before the Court is the parties' Stipulation of Voluntary Dismissal With Prejudice. (Doc. 23.) Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), a plaintiff may dismiss an action by filing "a stipulation of dismissal signed by all parties who have appeared." As requested, Plaintiff's claims against Defendants are **DISMISSED WITH PREJUDICE**. Each party in this action shall bear its own costs and attorney fees. As a result of dismissal, Defendant International Fidelity Insurance Company's Motion to Stay (Doc. 17), and Defendant Stephens Construction & Concrete, Inc.'s Motion to Stay Litigation and

Compel Arbitration (Doc. 22) are both DISMISSED AS MOOT. The Clerk of Court is DIRECTED to close this case.

SO ORDERED this 27<sup>th</sup> day of January 2014.

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WILLIAM T. MOORE, JR.  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA